

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MICHAEL FRIEDMANN,

Plaintiff,

v.

FRANKLIN PIERCE PUBLIC SCHOOLS,  
et al.,

Defendants.

CASE NO. 3:22-cv-06010-LK

ORDER GRANTING IN PART  
MOTION FOR ADDITIONAL  
EXTENSION FOR SERVICE

This matter comes before the Court on pro se Plaintiff Michael Friedmann's Motion for Additional Extension for Service on Defendants and Request for Approval of Alternate Service. Dkt. No. 17. For the reasons set forth below, the Court grants Mr. Friedmann's request for an extension but denies his request for approval of alternate service.

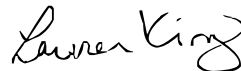
On July 26, 2023, the Court issued an Order to Show Cause because Mr. Friedmann had failed to serve the summons and complaint on Defendants within the time prescribed by Federal Rule of Civil Procedure 4(m). Dkt. No. 15 at 3. The Court ordered Mr. Friedmann, within 35 days of the Order, to file proof of service or show cause why the Court should not dismiss all claims

1 against Defendants without prejudice for failure to timely serve them in accordance with Rule 4;  
2 alternatively, he could request an additional extension based on a showing of good cause. *Id.*

3 Before the 35-day period elapsed, Mr. Friedmann filed this motion seeking an unspecified  
4 amount of additional time to serve Defendants. Dkt. No. 17 at 1. He claims that Defendants “have  
5 been actively evading and/or avoiding service” and that he engaged ABC Legal Services to serve  
6 them but ABC Legal Services has not yet been successful in effecting service. *Id.* Mr. Friedmann  
7 has shown good cause for an extension, and the Court grants an additional 30 days to serve  
8 Defendants. Mr. Friedmann must file proof of service by October 2, 2023.

9 Mr. Friedmann also seeks “approval from the Court for alternative service in this matter,  
10 specifically due to the fact that the Defendants are actively evading and/or refusing service.” *Id.* at  
11 2. The remaining Defendants are two individuals and the Franklin Pierce Public Schools. Dkt. Nos.  
12 5, 12. Mr. Friedmann does not explain what he means by “alternative service” or demonstrate that  
13 such service is permissible for a school district. Fed. R. Civ. P. 4(j)(2)(B); *see also* Wash. Rev.  
14 Code § 4.28.080(3). Section 4.28.080(17) of the Revised Code of Washington allows for alternate  
15 means of service on individuals who cannot be served as described in Section 4.28.080(16) “with  
16 reasonable diligence,” but Mr. Friedmann’s vague, secondhand description of service efforts so  
17 far do not demonstrate that is the case here. Mr. Friedmann’s request for authorization for alternate  
18 service is therefore denied.

19 Dated this 28th day of August, 2023.

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21 Lauren King  
22 United States District Judge  
23  
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